PACIFIC SLOPE.

EXECUTION OF MAJORS, THE LOS GATOS MURDERER.

High Water in Nevada—The Tombstone Bank—Advices from Oregon.

[SPECIAL DISPATCHES TO THE RECORD-UNION.]

CALIFORNIA.

Execution of Majors at Oakland.

OAKLAND, May 23d.—Hours before the time set for the hanging of Lloyd L. Majors people gathered on the streets surrounding the jail. Many climbed trees in order to overlook the high fence built around the jail-yard and completely hiding the scaffold from outsiders. Those inside the jail-yard numbered about 400. At 10 minutes past 11 the condemned man and an escort of Sheriffs and the executioner emerged from the rear jail door and descended the steps leading to the jail-yard. Majors crossed the ground between the jail and the scaffold with drooping head. When he reached the scaffold he continued in this downcast mood until placed on the trap, when, after what appeared to be considerable effort, he raised his head and looked at the people gathered in front of him at the foot of the scaffold. This he was evidently unable to withstand for long, and soon raised his eyes so as to overlook the spectators and gaze into space. On the trap there was a slight swaying of his body before he succeeded in gaining perfect equilibrum. Before he left his cell his arms were fastened to his side. He was accompanied to the scaffold by his spiritual advisers. There was no attempt to make an address from his last standing place on earth, and little time was consumed in strapping his legs together, adjusting the rope around his neck and springing the trap. The time that elapsed between the ascension to the fatal spot and the signal for cutting the string that sprung the strap was hardly of a minute's duration. He placed his foot on the steps leading to the scaffold at eleven minutes past 11, and at twelve minutes past 11 he was swung off. Deputy Sheriff Lewis, of Alameda county, acted as executioner. From the moment when the people from the neighboring housetops and trees caught sight of the victim on the scaffold, there was continuous jeering and shouting until he passed from sight below the level of the scaffold flooring. As the body came to a sudden stop on reaching the end of the fall, the nether limbs bent at the knees slightly and were somewhat drawn toward the upper portion of the body. In eight minutes after the drop, life was pronounced extinct and in sixteen minutes he was cut down and placed in one of the rooms of the County Jail building. There were no leave-takings of any kind, as Majors' wife was too ill near San Jose to visit him in his last moments, and he had no others interested in him. The body was confined and removed from the jail to an undertaking establishment on Washington and Eighth streets, from whence it was taken to Mountain View Cemetery, where the Rev. Dr. Akerly said a burial service.

There were but two executions in this county previous to this one. Amden and Battney, who were hanged at San Leandro, and this was the first legal execution in Oakland.

Found Dead in Bed.

SAN FRANCISCO, May 23d.—A man who registered himself at the Main lodging-house, 614 Kearny street, under the name of "Montgomery," was found dead in his bed this morning. He was about 34 years of age, and followed the business of piano-playing in underground saloons, where he was called Lee.

The Question of Holding Open Primaries.

SAN FRANCISCO, May 23d.—The Executive Committee of the Democratic State Central Committee met this evening, and heard arguments by representatives of the Democratic Clubs of the city against holding open primaries under the Porter law, as demanded by the anti-boss clubs. The committee decided that it had no jurisdiction in the matter, and this is considered as equivalent to an acknowledgment that it has none in any question of local politics.

The Colton Case.

SANTA ROSA, May 23d.—The examination of Mr. Douty was restmed this morning. The minutes of the Western Development Company of April 29, 1880, were referred to in order to explain the Willcut transaction about the Southern Pacific main contract with the Western Development Company.

Mr. Hayes objected to these minutes, as dating subsequent to the settlement.

The objection was overruled and the minutes read.

Mr. Douty continued: While an officer of the Western Development Company, after Mr. Irwin left, he received no instructions from either Hopkins, Huntington, Stanford or Crocker. Previous to April 30, 1879, the Western Development Company had received from the Northern Railway Company all the bonds and stock due it. The bills, amounting to $4,509 21, came in after this date and accrued in executing this contract. They were bills principally for perfecting the right of way through the San Pablo ranch.

Mr. Douty was again interrupted and C. A. Crocker was sworn. He testified that he was the son of Charles Crocker and had been intimate with the Colton family. Was here when General Colton died, and also when Mrs. Colton arrived from the East. Called on her a week after her return, but only once since 1879. The conversations were upon business affairs. Plaintiff asked about the affairs at the office generally. Told her about the organization of the Pacific Improvement Company, and of the proposed continuance of the building of the Southern Pacific in Arizona and New Mexico. She thought her interests in jeopardy. My father was in Europe, and she was anxious at his absence, and expressed a lack of confidence in the financial ability of Stanford. She seemed intelligent and in possession of all her mental faculties.

There was no cross-examination.

Douty appeared again and said his understanding of the compensation that the W. D. Company was to receive for building the road from Benicia to Suisun was $25,000 in bonds and $40,000 in stock per mile, and it was received prior to April 30, 1879. Some liabilities have accrued since that date. The road would sink and require filling, which work the W. D. Company was compelled to perform. That portion of the Northern railway from Woodland to Willows was built by the W. D. Company. There are some liabilities that accrued before April 30, 1879, on this contract, which are not embraced in Exhibit E. Witness proceeded to give them. They were mostly called timber items.

On cross-examination by Mayers a good deal of testimony was rehearsed and nothing new elicited. Witness said that when plaintiff's expert, Reynolds, examined the affairs of the R. M. C. and I. Company he complained that a number of important papers were missing. Mr. Gunn found some and turned them over. The authority that the expert had came in the shape of orders of the Court. Witness consulted the law department of the Central Pacific on this subject.

Adjournment until Tuesday next.

Foiled Safe-Crackers.

FRESNO, May 23d.—Cracksmen burglarized the safe at the Champion Mills in this place last night. They blew the safe door to pieces with powder, but failed to gain admission to the money-box.

ARIZONA.

The Tombstone Bank.

TOMBSTONE, May 23d.—The committee appointed by the depositors of Hudson & Co. examined yesterday the branch bank at this place, and the result has created quite a sensation. At the meeting last night the committee reported a shortage of the funds of the bank here to the amount of $6,823 05, and that the money had been taken from the bank while it was in charge of Sheriff Ward. The committee further states that since the discovery they had waited on the parties who had got the money, and they had all agreed to return it. The meeting demanded to know who the parties were, and the committee announced their names and amounts as follows: Ben. Goodrich, County Treasurer, $3,202 49; J. L. Ward, Sheriff, $1,320 56; J. L. Ward, individual account, $1,200; Fred. Ward, son of the Sheriff, $800; A. O. Wallace, Under Sheriff, $300. The money taken by Treasurer Goodrich was county funds, which he now claims was a special deposit. The other moneys drawn were individual accounts. Much excitement prevailed when the report was made known, and denunciations of the parties engaged in taking the moneys were loud and frequent, from the fact that the bank had been placed in charge of Sheriff Ward by the Grand Jury with instructions to let no one, not even the assignee, take anything from it. It was only by this assurance that the mob was kept from destroying the bank on the day of the suspension. Investigations in regard to some other peculiar transactions in connection with this matter will be made known in a short time.

Railroad Enterprise.

CLIFTON, May 23d.—A. M. Gorland, a railroad contractor, now in Clifton, is here for the purpose of winding up business preparatory to starting for Prescott to begin work on the Prescott and Thirty-fifth Parallel Railroad. Captain N. S. Davis, a well-known railroad engineer, who built the Clifton and Lordsburg Railroad, will have his work here completed in about a week, when he will start from Yavapai county, in company with Mr. Gorland. Upon their arrival a surveying party will be organized, and, as soon as the route can be located, ground will be broken and the work of building the road commenced in earnest.

Grand Jury—Assignment Case on Trial.

TUCSON, May 23d.—The special Grand Jury adjourned to-day until next Wednesday. They are making sweeping investigations, and music is expected to begin next week.

The Lord & Williams assignment case is now on trial.

NEVADA.

Austin Still Fearful of a Cloudburst.

AUSTIN, May 23d.—No cloudburst has occurred since last Tuesday, but it clouds up regularly every afternoon, and we have thunder-storms. The people are still afraid of a cloudburst. Heavy clouds are now rising. The flood gates are all up in readiness for it. Reese river is booming, and the track of the Nevada Central Railway is threatened with overflow in several places. The river is the highest known since 1867.

OREGON.

Young Man Drowned—River Pirate Convicted—Assignment of a Chinese Firm.

PORTLAND, May 23d.—A young man named Nathan Boynton, aged 18, was drowned yesterday in Louis river, near Locester, W. T., by the capsizing of a boat. The body has not been recovered yet.

Jim Harris, a notorious young river pirate, was convicted to-day in the State Circuit Court, and will be sentenced Monday.

The Chinese firm of Ling Chong & Co., of this city, has made an assignment for the benefit of its creditors. The assets will not exceed $600; liabilities unknown, but said to be heavy.

The continued warm weather and melting snows have swelled the rivers, and prospects of very high water are good should the hot weather continue.

Residences Burned—A Boy Accidentally Shot by His Brother.

PORTLAND, May 23d.—The residence of James Schimmel, near Corvallis, Or., was totally destroyed by fire yesterday, only a few of the contents being saved. Loss, $1,200; no insurance.

During the absence of the family, the dwelling of J. H. Wiley, near the town of Goldendale, W. T., was burned yesterday. The building and contents were a total loss. Damage, $1,500; uninsured.

The residence of T. Lillb, in Philomath, Or., was burned to-day. Loss, $1,000; partially insured.

To-day, F. M. Wadsworth, a son of Indian Agent Wadsworth, at the Silitz Reservation, Benton county, Oregon, was accidentally shot by his younger brother. Both entered a room, when the boy picked up a loaded revolver and began playing with it. It was discharged, the ball entering the shoulder of the elder brother, inflicting a very dangerous wound. The young man is not expected to recover.

BRITISH COLUMBIA.

Victoria Notes.

VICTORIA, May 23d.—At a meeting at the Town Hall last evening, resolutions were passed condemning gambling.

Four hundred dollars have already been subscribed for the benefit of the widow and family of the late Dan. McGlade.

A large Chinese funeral to-day presented an extraordinary sight. The ceremonies were quaint, and thousands of Chinese attended.

OLD MEXICO.

Advices from Guaymas.

GUAYMAS, May 23d.—The news received here by telegraph from the capital, of a duel between Governor Louis Torres, of this State, and Senor Benassa, who is an Ortiz man, has caused considerable excitement. Government Torres was wounded in the hands.

Last Wednesday a Mexican employed on the work train was run over and killed at Imuris, above Magdalena.

A. K. Owens, chief engineer of the Topolovampo Railroad, is here, en route to commence work on that road.

It is currently rumored that on the arrival of General Carbo with troops, a campaign will be inaugurated against the Yaquis, who continue stealing stock in the valley of Guaymas.

At a formal meeting of the Board of Health to-day, the City Physician declared that there had been no cases of yellow fever reported, and that the general health of the port remained good.

A Train Stoned.

CITY OF MEXICO, May 23d.—An accommodation train on the Central Railroad was stoned near Queretaro yesterday. The train was stopped, and the military escort captured three persons.

Storing Furs in Summer.

"When we put furs into storage for the season," said a furrier recently, "our first care is to beat them thoroughly with rattans to drive the dust out, and get rid of the moth-eggs that may have been laid in them, or been blown into them from the air. This done, they are hung on wire frames that distend them, and put into closets that are lined with tar paper. Moths cannot stand the strong odor of tar, and never live long under its influence. Every three or four weeks the furs are taken from the closets, and beaten with rattans; and so, in the course of a season, every article has to be handled at least a dozen times. In old times camphor was used; but it has been discovered that it had a tendency to detract from their color, and make them much lighter in hue. I suppose there is something in the dyes used for sable and other dark furs that camphor influences. Old women will use that drug, however; and when you see a sealskin sack, or cloak, or dolman, that shows streaks of gray or a muddy yellow, you can be sure that it has been kept in camphor through the hot weather. The whole secret of keeping furs is to beat all the dust out of them, and then keep them in a close closet impregnated with the odor of tar. Another old preventive was pepper—either cayenne or common black—but this has been abandoned; and some good housekeepers used to keep their furs in tobacco cuttings. I have seen moths flourish in tobacco; and, where I have seen insect-powders used, they have sometimes injured the furs in some way, or have been totally useless in guarding them from their bitter foe. Another desideratum in storing furs is strict cleanliness. We wash all the closets every spring with water and common washing soda, and the latter serves to destroy any moth eggs that may have got into the place. Thus our closets are never invaded by the moth; but should we show carelessness for a single week the result would be disastrous. Muffs, collars and other small articles we keep in boxes, packing with them sufficient tar paper to keep out the moths, and the shelves on which they stand are always kept from dust."—[Popular Science News.

The State of California is 700 miles long, with an average width of 220 miles, making an aggregate area of 98,634,240 acres. Of this amount 65,000,000 are adapted to agriculture, 15,000,000 to grazing, 4,000,000 are swamp and overflowed land, and 14,034,240 are lakes, bays and precipitous mountains. The Federal Government has granted to the State 10,782,160 acres of public land.

THE COUNTY CLERKSHIP.

Coglan vs. Beard—Judge Spencer's Decision in Full.

The following is Judge Spencer's decision in the case of Coglan vs. Beard. The findings were published yesterday:

In the Superior Court, County of Sacramento, State of California. C. M. Coglan, contestant, vs. M. R. Beard, respondent.

The contestant and respondent were rival candidates for the office of County Clerk of Sacramento county at the general election held on the 7th day of November, A. D. 1882. The returns from the several Precinct Election Boards were on the 13th day of the same month canvassed by the Board of Supervisors, from which it appeared that respondent had received a plurality of sixteen votes, and thereupon a certificate of election was issued to him.

In due time contestant filed in this Court his verified statement, wherein he impeached the returns from a number of the election precincts, claiming that the ballots cast thereat had not been properly counted, and that upon a true count he would have a plurality of all the votes cast for said office.

Upon the present trial the ballots purporting to be those cast at Precincts Nos. 1½, 2, 3½, 4, 4½, 6, 7, 13, 16, 19, 24 and 31 were produced from the custody of the present acting County Clerk, and given in evidence by contestant, and at his request recounted by the Court, and the ballots purporting to be those cast at Precincts Nos. 1 and 16 were in like manner introduced in evidence and recounted at the request of respondent (the ballots from No. 1 for the purpose of showing their condition and that of the containing package).

The recount of the ballots introduced by contestant, and of No. 16 introduced by respondent, showed a gain of 28 votes in favor of the former, and making his plurality 12 votes, and the recount of the ballots from Precinct No. 1 increased his plurality 14 votes.

The recognized rule in contests of this character is that although the returns by the canvassing boards, and the certificate of election issued in conformity therewith, are *prima facie* correct, and entitle the person in whose favor they are to the office, the recount of the ballots by the Court is the better evidence of the actual vote cast, and is conclusive, if the Court is satisfied that the identical ballots have been counted, and that they have remained in the proper custody from the time of the original official count until they are produced in Court, and that they have not been handled by unauthorized persons, nor any opportunity afforded for any tampering therewith.

The contention of the learned counsel for respondent is that the ballots so counted by the Court were not kept in the proper legal custody, and are not free from grave suspicion of having been fraudulently manipulated.

The burden is upon the contestant to satisfy the Court that the ballots offered for recounting have retained their integrity, and speak as they did in the hands of the officers of election.

It appears from the evidence that the election returns from these various precincts, consisting of the poll lists, tally sheets, and the sealed packages of ballots, were delivered by the proper election officers to the then County Clerk, Thos. H. Berkey, in a reasonable time after the election. That many of the packages of ballots were indorsed filed by him when received, and placed in a locker in his office, and that the remaining packages (large ones from the precincts in the city of Sacramento), with one exception (Precinct No. 3), came in large tin ballot boxes, with the tally and poll lists, which boxes were locked and sealed, and for that reason were not indorsed filed by him. Said boxes, with their contents, were set aside in his office, and each evening, before closing his office, the packages and boxes which had come in during the day were placed in a vault of which he kept the keys.

This vault is in the Hall of Records, a building detached from the Court-house and Clerk's office, and is entered from the room where the Board of Supervisors hold their meetings. The outer doors to this building and room are of iron, secured by substantial locks operated by keys, but without combinations; the windows secured by fire-proof and light-proof shutters. To these doors several of the Supervisors had keys; also the Clerk, the janitor of the buildings and his assistant, but no others, so far as is known.

The vault is fire proof, built expressly for the preservation of valuable papers, has two sets of iron doors, one a single door swinging on the outer jamb, and the other double, swinging on the inner jambs of the opening, with a space of about two feet between them.

The outer door is secured with a strong lock of ordinary pattern; the inner one with a strong spring Yale lock, with thin, flat key.

The uncontradicted evidence of said Berkey is in substance that upon depositing said packages in the vault he locked the inner door, and sealed it with a postage stamp, and placed a private blind mark in such manner that the door could not be opened without the fact being detected, and that he also locked the outer door, and sealed the keyhole with sealing wax, upon which he placed two impressions with the edge of a coin. That he constantly kept said keys on his person (in his pocket), until he yielded up his office on the 8th of January following, and that the keys to the tin boxes he kept in a locked drawer in his office, during said time.

That a self-constituted guard of citizens, composed of the several political parties, watched the vault for several days and nights after the ballots were thus deposited.

That the vault remained apparently undisturbed and unopened until the 13th of November, when said Clerk unlocked it, and removed said tin ballot boxes with their contents, the packages of returns, and some of the packages of ballots, and placed them before the Board of Supervisors, which had met as a Board of Canvassers. During said canvass the packages of ballots from precincts Nos. 1, 3 and 6, and perhaps a few others, were broken open by the Board searching for tally lists, and again resealed, as was supposed, and the first two returned to their tin boxes and locked. All the packages were upon the conclusion of said canvass returned to the vault, the doors relocked, the lock of the outer door resealed with wax, and so remained until about the 12th of the following December, when said packages were brought into Court, and recounted at the first trial of this cause before the Hon. S. C. Denson.

At that time the packages from Precincts Nos. 1 and 3, upon unlocking the tin boxes, were found to be entirely broken open, the sealing wax with which they were originally sealed not adhering at any point, and the one from No. 6 gave evidence of having been resealed. The sealings of all the others appeared to be intact.

The recount made at that time corresponded with the recount made at the present trial, with the exception of a few ballots which were excluded on the last count, on account of having distinguishing marks thereon.

Pausing at this point, and weighing the evidence, to my mind it is manifest that the contestant has made a full and ample showing that the ballots had been kept in the legal and proper control of the Clerk, and that he had exercised all the care and caution that a prudent and careful officer would be expected to exercise in their preservation, and that no reasonable opportunity was given for their unauthorized handling or manipulation.

True, it is possible, with all of these precautions and safeguards, that these ballots may have been fraudulently manipulated. Interested parties may have duplicated or stolen the keys to the vault, and effected a burglarious entry, or the Clerk himself may have been *particeps criminis*, but certainly, to authorize the Court to indulge in either of these inferences, some fact or circumstance must be called to its attention that would at least excite its reasonable suspicion.

To this end the respondent exhibits three propositions, which he contends give rise to such grave suspicions:

First—The relations existing between the contestant and the former custodian of the ballots, Berkey, and the fact of the subsequent possession of the ballots by the contestant himself.

Second—The disparity between the returns and the recount as made at the former and present trial.

Third—The physical appearance of the containing packages and of the ballots themselves.

Coglan, the contestant, had been a deputy of the Clerk, Berkey, for a year or more previous to the election, and continued to hold that position until the expiration of the term of the latter, on January 8, 1883, at which time he, Berkey, yielded up the possession of the office to him.

Such relation and conduct, standing by itself, would indicate at least the existence of a friendly feeling between the two. It appears, however, that Berkey, early in the political campaign, was the regular nominee of the Republican party for the office of Sheriff, and Coglan the nominee of the same party for that of Clerk.

That, later, and before the election, Berkey, with at least the tacit consent of Coglan, and over his own objection, was by a committee of that organization removed from said candidacy and another person substituted in his place. Berkey's protest at what he claimed to be unjust treatment exhibited itself in his being an independent candidate for the office of Sheriff, for which office he solicited and obtained votes at said election; the direct and natural effect of which was to jeopardize the success of the Republican ticket, including Coglan. Under such circumstances the Court is quite willing to credit the sincerity of Berkey's statement, that he considered Coglan measurably responsible for his removal from the ticket, and that he has not since then entertained particularly friendly feelings towards him. The fact that Coglan was retained in office until the expiration of the term, a period of two months after the election, is explainable upon the theory that his dismissal, at a time when the business of the office was about being closed up, would work greater injury to the principal than to the deputy, and the yielding up the office to the latter is consonant with the idea that both were mutually mistaken as to the legal effect of the judgment recovered in this Court in favor of Coglan, on the 16th of December, 1882, and from which the respondent had perfected an appeal before the commencement of the new term.

As previously suggested, Coglan took possession of the office on the 8th of January, 1883, and has ever since held the same. That he had no legal right to do so, and thus treat as final a judgment in his favor, which had been suspended by an appeal, is quite evident. In legal contemplation he was an intruder into the office, and the custody that he acquired of the ballots in question by virtue of such intrusion, although perhaps technically legal, would, if standing alone, subject the ballots to such grave suspicions that they could not be received as evidence in his favor. But as against such effect we have the controlling fact that the ballots were, while in the possession of the former Clerk, recounted by this Court in this proceeding by a former Judge, of which a true record was kept, and with which the present recount coincides; thus satisfying the legal provision on that subject, and demonstrating the fact that the ballots could not have been tampered with in the interest of the contestant, while in his custody as Clerk *de facto*.

At the former trial in this Court, the ballots from all the precincts in the county were recounted, and in twenty-two precincts the recount produced the same result as the returns. In one, that of No. 16 (Folsom), Coglan lost one vote; in No. 24, each party gained one; in Nos. 7, 13, 19, 29 and 31, Coglan gained one vote in each; in No. 5 Coglan gained two and Beard lost two; in No. 1 Coglan gained nine and Beard lost six; in No. 1½ Coglan gained two; in No. 3 Coglan gained six and Beard lost four; in No. 3½ Coglan lost one; in No. 4 Coglan gained ten and Beard gained one, and in No. 4½ Coglan gained two and Beard lost seven.

When it is considered that the greatest disparity is found in precincts where the greater number of ballots were cast—i. e. in the city precincts; that there were more than forty names on each ballot, and the ballots themselves in many instances much scratched by the voters, and at least four kinds of tickets, the fact that the discrepancies referred to exist, in my opinion, fail to indicate a fraudulent manipulation of the ballots. It is a notorious fact, disclosed by contests of this character, that singular errors in counting ballots by Election Boards have occurred, and that, too, in cases where no suspicion has been raised as to the integrity of the ballots recounted.

In this case the returns of the votes cast for any of the other candidates at said election were not given in evidence, nor was a recount of the ballots made in relation thereto. If such comparison had been made, and it disclosed the fact that a like disparity in relation to those offices did not exist, the objection urged by the respondent would have much weight; but *non constat* discrepancies of like character exist in relation to officers and candidates voted for at the same election, touching which no imputation of fraudulent manipulation has been or could conscientiously be made.

The physical appearances of the packages containing the ballots, as they appeared on the occasion of the former recount in Court, and as they appear at present, are as follows:

Precinct No. 5, in which there is a gain for Coglan of one and a loss by Beard of two votes; Precincts Nos. 7 and 13, a gain for Coglan of one in each, and No. 16, a gain for Beard of one, the original sealing with sealing-wax gives no evidence of ever having been disturbed or the packages in any way tampered with.

Nos. 19, 29 and 31, in each of which there is a gain of one for Coglan, and 1½, in which he gains two, the wax sealings, which appear to be intact, are written across in places with the signatures of some of the judges or inspectors, and in such manner that it would be apparently impossible to unseal them, either by breaking or melting, without disturbing the ink marks.

No. 4, in which Coglan gains nine and Beard one, the two wax seals are, without doubt, intact on the original sealing, and remain intact. They are stamped with coins, and a careful dissection of the envelope and seals by the Court exhibits the fact that the package could not well have been tampered with.

No. 4½, in which Coglan gained one and Beard lost seven, the package appears to have been sealed in several places, and broken loose at the time of sealing, from the pressure of the contents. It has been resealed, but not in the same places, the distortion of the package preventing the flap from being conveniently brought to its former position, and no attempt appears to have been made to disguise the fact of such resealing. A dissection of the envelope and seals corroborates the fact of such resealing. It is quite apparent, therefore, that the resealing was done innocently and by the Election Board. It was intact at the time of the recount in Court.

The remaining packages, Nos. 1 and 3, were produced in Court from the tin boxes entirely unsealed. As before observed, these two packages were proven by the undisputed evidence of members of the Board of Supervisors to have been found intact by them at the time they met to canvass the returns, and were by them broken open, resealed and returned to their respective boxes. Their present condition is explainable upon the theory that they were imperfectly resealed with the same adhering wax, already quite brittle from previous heating, and came open by being roughly thrust back in a cramped or crumpled condition into the boxes.

These packages show the following changes: No. 1, Coglan gains 8; Beard's loss, 6. No. 3, as counted at the former trial and on the present trial stipulated to be correct, Coglan's gain, 6; Beard's loss, 4.

It is contended that from the fact that such a marked disparity between the returns and recount in Coglan's favor is found in these two packages, that they have been tampered with, because found open and more accessible. To my mind the objection has but slight weight. If the ballots in these packages have been manipulated, as suggested by the Supreme Court in this case on a former appeal, it would afford a strong inference that the changes found in the other packages were produced by the same agency; for instance, the five precincts in which the remarkable coincidence occurs of an increase in Coglan's favor of one vote in each. And also the tampering with No. 4, where Coglan gains 8 votes, and which, if manipulated, the person committing the fraud has taken unwearied pains to conceal his act with marked success. And the same suggestion will apply in perhaps less degree to No. 4½.

Every intelligent person is presumed to be actuated by an intelligent motive, and I am unable to conceive of such a person indulging in so contradictory acts as to fraudulently manipulate packages of ballots and leave them unsealed, and thus attract suspicion, if not affording evidence of the crime, and at the same time and with the same object in view manipulate other companion packages, and with great pains and adroitness successfully conceal the fact.

It occurs to me that a person possessed of a modicum of forethought and cunning would leave packages he found unsealed wholly untouched, or if all were found by him sealed he would have attempted to leave them in the condition in which he found them.

From an examination of the entire evidence I am satisfied that none of the ballots have been tampered with, and if, therefore, Precincts Nos. 1 and 3 had been given in evidence they should have been counted for the contestant.

It appearing, however, that from the ballots recounted contestant has received a plurality of the votes cast, he is entitled to a judgment to that effect.

SPENCER, Judge.

STANFORD MEMORIAL COLLEGE.

Information Concerning the Proposed Educational Institution.

[By telegraph.]

NEW YORK, May 23d.—The *Tribune* reports an interview of a member of its staff with ex-Governor Stanford, in the course of which the following information concerning the proposed educational institution at Palo Alto was obtained, and will be found of interest: "The details of the undertaking remain to be arranged, and I shall avail myself of the best ideas I can get. I hope to obtain valuable suggestions from Cornell University and from other home institutions, and I shall also utilize the freshest reports in technical schools, both here and in Europe. I have, in my business experience, found that too much of the current college training launches young men on the world void of such practical knowledge of any calling as will enable them to earn their living at once. Scores of educated youngsters have been sent to me as President of the Central Pacific Railroad, seeking employment, and I could not do anything with them, because they would not fit in anywhere. When business men wish to employ people, they have specific services in their mind, and mere general brightness will not serve their purpose. I therefore intend, as far as possible, to seek practical educational results. I do not propose to establish a purely technical school, but I propose that boys and girls—for it is to be for both sexes—who enter the institution and take a full course shall, when they come out, know some business or trade so thoroughly that the question of bread and butter shall not be a stumbling-block to them on their entrance into life.

PREPARATORY SCHOOLS CONTEMPLATED.

"I contemplate also the establishment of preparatory schools, to the end that the scheme shall be complete in itself. The terms upon which entrance shall be had shall be the subject of future determination, but I may say that my own experience has taught me the value of inculcating the spirit of self-help and independence in the young. Of course I shall be largely influenced by the advice of experienced educators. My aim is to make the memorial college as beneficial in all ways as is possible. I believe that the head of such an institution should in the first place be very carefully selected, and having been so selected he should be given paramount authority in educational matters. It is my desire and intention that the endowment of the memorial college and adjuncts shall be equal to that of any educational institution in the country. I wish to put it upon an independent plan from the beginning, so that all experiments attempted shall have full and free play. I want our graduates, whether men or women, to be fitted for action as well as for reflection. I seek, therefore, to cultivate and develop all sides of their intelligence, and so produce not only quick-witted but nimble-handed scholars. When the preliminaries are arranged no time will be lost in beginning the work, and I expect to devote to it the remainder of my energies and life. It will be a comfort to his mother and myself to think in this way we can rescue from oblivion and perpetuate in beneficent and active usefulness the best tendencies and ideas of our dear son who has been taken from us."

The State University.

A special meeting of the Board of Regents of the State University was held Friday afternoon in the Mechanics' Institute Building on Post street, San Francisco. Governor Stoneman presided. Regents Wilcker, Finigan, Phelps, Hallidee, Rodgers, Ainsworth, Martin, Rhodes, Marye, Stebbins, Winan and Reid, present.

President Reid read the names of the following students to be graduated next Wednesday, who have been recommended by the Faculty for their respective degrees: Bachelor of Arts—David L. Lezinsky, James H. Pond, of San Francisco. Bachelor of Science—Charles O. Bosse, Charles L. Huggins, Berkeley; Wm. F. Bradford, Sonora; James P. H. Dunn, Claremont; Eugene Hoefer, San Francisco; Sidney E. Mezes, Belmont; Frank H. Powers, Sacramento; Chas. A. Ramm, Comptonville. Bachelor of Letters—William A. Beatty, Margaret Scobie, San Francisco; John L. Chase, Martinez; Helen M. Gompertz, Adelaide E. Graham, Caroline E. Le Conte, Isabelle J. Miller, Mabel Walcott, Maude Walcott, Berkeley; Blanche E. Newell, Charles S. Wheeler, Oakland.

On motion of Regent Rogers, the degrees were conferred as designated.

On motion of Regent Martin, the degree of Bachelor of Laws was conferred upon the following members of the senior class of the Hastings College of Laws, all of whom have passed their final examinations and have been recommended by the Faculty for their degree: Isadore Abraham, Cloverdale; Rhodes Borden, Sheldon Borden, Borden, Fresno county; Daniel Brown, James Cousins, M. C. Peters, Petaluma; George H. Cabaniss, George D. Campbell, John F. Davis, Nicholas Furlong, William Grant, Charles W. Helm, Charles H. Jackson, Max Lowenthal, Henry W. Price, James F. Teylin, Charles M. Wheeler, San Francisco; Wallace Dinsmore, Rohnerville; James P. Dwyer, Ocean View; Eldridge Farnsworth, Mariposa; Theodore R. Farley, Edward D. McCabe, Modesto; Edward A. Forbes, Marysville; William R. Jacobs, Woodland; William J. McGee, Plymouth, Amador county; George D. Murray, Arthur C. Taylor, Clinton M. Wilber, San Diego; Frank R. Williams, Santa Rosa.

SAN FRANCISCO STOCK SALES.

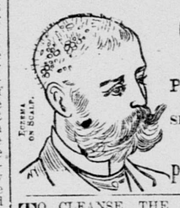
SAN FRANCISCO, May 23d.

MORNING SESSION.

50 Ophir	1 15	130 Exchequer	10c
95 G. & C	1 30	350 Union	1 95
175 B & Be'cher	2 05@	40 Alta	1 80@1 80
250 average	80c	500 Benton	45c
170 Challenge	1 70	300 Bullion	75c
80 H. and N.	2 30@2 30	100 Savage	3 10
150 Point	1 40	100 Prize	5c
20 Y. Jacket	2 20	400 Bodie	3 75@3 65
5 S. Nevada	1 30	450 Mono	85c

AFTERNOON SESSION.

1100 Belle Isle	50@55c	835 Challenge	1 65@1 70
100 G. Prize	10c	430 Hale & Nor.	2 30@2 35
100 S. Islande	2½	470 S. Nevada	1 35
1200 Bodie	3 65@3 50	50 Utah	80c
250 Mono	75c	150 Exchequer	10c
1265 Ophir	1 10	160 Union	1 90
560 Mexican	1 70	330 Alta	1 95@1 90
2810 G. and C.	1 35@1 30	70 Alpha	1 05
10 Best & Belcher	2 10	110 Scorpion	25@26c
225 Savage	80c	905 Benton	45@50c
420 California	10c		



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Cuticura Resolvent, the new Blood Purifier, Diuretic and Aperient, expels disease germs from the blood and perspiration, and thus removes the cause. CUTICURA, the Great Skin Cure, instantly allays Itching and Inflammation, clears the Skin and Scalp, heals Ulcers and Sores, restores the Complexion. CUTICURA SOAP, an exquisite Skin Beautifier and Toilet Requisite, is indispensable in treating skin diseases, and for rough, chapped or greasy skin, blackheads, blotches and baby humors. CUTICURA REMEDIES are the only infallible blood purifiers and skin beautifiers.

Chas. Houghton, Esq., lawyer, 28 State street, Boston, reports a case of Salt Rheum under his observation for ten years, which covered the patient's body and limbs, and to which all known methods of treatment had been applied without benefit, which was completely cured solely by the CUTICURA REMEDIES, leaving a clean and healthy skin.

Mr. and Mrs. Everett Stebbins, Belchertown, Mass., write: Our little boy was terribly afflicted with Scrofula, Salt Rheum and Erysipelas ever since he was born, and nothing we could give him helped him until we tried CUTICURA REMEDIES, which gradually cured him, until now he is as fair as any child.

H. E. Carpenter, Henderson, N. Y., cured of Psoriasis or Leprosy, of twenty years' standing, by CUTICURA REMEDIES. The most wonderful cure on record. A dustpanful of scales fell from him daily. Physicians and his friends thought he must die. Cure sworn to before a Justice of the Peace and Henderson's most prominent citizens.

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NEW ADVERTISEMENTS.

BRITISH PICNIC!

SPECIAL FEATURES

—AT—

East Park Grove!

TO-DAY! TO-NIGHT!

10 A. M.—Cricket Match.
11 A. M.—Quoit Match.
1 P. M.—250 Presents Given to Children.
2 P. M.—Ladies' Races.
2:30 P. M.—"Aunt Sally" Match.
3 P. M.—Men's Race, one-eighth mile.
3:30 P. M.—Men's Race, one mile.
4 P. M.—Obstruction Race.
5 P. M.—Three-legged Race.
7 P. M.—Grounds Brilliantly Illuminated.
7:15 P. M.—Dancing, Music by Hussar Band.
9 P. M.—Waltzing Match.
10 P. M.—Drawing of Gate Prize.
12 P. M.—"Home, Sweet Home." m24-1t

SUMNER POST, NO. 3.

YOU WILL PLEASE ASSEMBLE AT G. A. R. Hall on SUNDAY EVENING, May 25th, at 7 o'clock, for the purpose of attending Divine Service at Kingsley Chapel.

J. L. SKINNER, Commander.
G. B. CORWIN, Adjutant. m24-1t*

PICNIC BY STEAMER!

FIRST JOINT PICNIC OF THE ORDER OF CHOSEN FRIENDS:

FRIENDSHIP, SACRAMENTO, Merritt, Walnut Grove and Franklin Councils, at

Beach's Grove, Wednesday, May 28th,

By Steamer GOV. DANA. Prizes will be awarded for Dancing and Athletic Sports; also, Clay and Pigeon Shoot.

The steamer will leave the wharf, at foot of N street, at 8 o'clock sharp.

Tickets, $1; Children (6 to 14 years), 50 cents. m24-4t

PAY ATTENTION

TO THE ADVERTISEMENT OF THE SACramento Turn Verein's Festival, at the New Exposition Building, which will appear hereafter. m24-1t

SUMMONS.—STATE OF CALIFORNIA, COUNty of Sacramento, ss. In the Superior Court in and for said county. The People of the State of California to CHARLES RAMIS, greeting: You are hereby notified that an action was commenced in the Superior Court of the county of Sacramento, State aforesaid, by filing a complaint in the Clerk's office of said Court, on the 23d day of MAY, 1884, in which action ABBIE K. RAMIS is plaintiff and you are defendant. That the general nature of the action, as appears from said complaint, is as follows: To obtain a a decree of this Court dissolving the bonds of matrimony now existing between plaintiff and defendant, on the ground of failure to provide and desertion. Also, for $75 attorney's fees and costs of suit, all of which is more fully set forth in the complaint on file herein, reference to which is hereby made. And you are hereby directed to appear and answer said complaint within ten days from the service of this writ, exclusive of the day of service, if served on you in said county of Sacramento; and within thirty days, exclusive of the day of service, if served elsewhere. And you are further notified that unless you so appear and answer within the time above specified, the plaintiff will apply to the Court for the relief prayed for in the complaint.

In testimony whereof, I, Chas. M. Coglan, Clerk of the Court aforesaid, do hereunto set my hand, and aff